

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|---------------------------|---|--------------|
| JOHN SCHWAN et al., |) | |
| |) | |
| Plaintiffs, |) | 4:04 CV 3384 |
| |) | |
| v. |) | |
| |) | |
| |) | |
| CNH AMERICA, LLC, et al., |) | ORDER |
| |) | |
| Defendants. |) | |

A conference was held with representative counsel on June 28, 2006, by telephone. The purpose of the call was to advise the court of the status of the parties' compliance with the scheduling orders of the court and specifically the holding of the Rule 26(f) "meet and confer" conference. Counsel suggested the court grant more time to complete that, after the Lone Pine information from plaintiffs had been provided, which by previous order has been extended to December 31, 2006. The court agreed.

IT THEREFORE HEREBY IS ORDERED:

1. The parties' stipulation of June 7, 2006, filed with this order, is approved by the court.
2. The parties disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be completed on or before August 18, 2006.
3. The parties are given until January 21, 2007 to "meet and confer" pursuant to the court's earlier order and Fed. R. Civ. P. 26(f) and file their Report of Planning Meeting, as well as any request for a conference with the court.

DATED June 28, 2006

BY THE COURT:

s/ David L. Piester
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN SCHWAN *et al.*,

Plaintiffs,

v.

Civil Action No. 4:04-CV-3384

CNH AMERICA LLC *et al.*,

Defendants.

JOINT STIPULATION REGARDING RULE 26(f) CONFERENCE

Pursuant to Federal Rule of Civil Procedure 26, the parties in the above-captioned proceeding hereby stipulate and agree as follows:

1. The parties hereby stipulate to extend the deadline for making the Rule 26(a)(1) initial disclosures until and including August 18, 2006.
2. The parties agree that any discovery that occurs prior to a determination that plaintiffs have met the requirements of the Court's May 4, 2006, *Lone Pine Case Management Order* ("*Lone Pine Order*") shall be limited to information relevant to the subjects set out in the *Lone Pine Order*.
2. Plaintiffs anticipate that their discovery prior to a determination that they have met the requirements of the *Lone Pine Order* will be limited to defendants' production of documents concerning the site condition and manufacturing processes at the CNH property. In the event plaintiffs desire to pursue any other discovery (*i.e.*, depositions, written discovery, or

any other document discovery), they will first meet and confer with the defendants in an effort to agree to any such other discovery; if this meet and confer does not produce an agreement, plaintiffs agree to obtain leave of Court before propounding any such additional discovery.

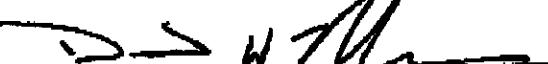
4. This stipulation does not address plaintiffs' request for site access, which is being addressed separately by the parties.

Dated: June 7, 2006


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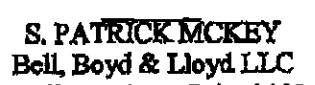
Attorney for Plaintiffs

Dated: June 7, 2006


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Dated: June 7, 2006


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